

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHER DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

MDL No. 2804

Case No. 1:17-md-02804

Judge Dan Aaron Polster

**WALMART’S MOTION TO FILE UNDER SEAL THEIR MEMORANDUM AND
EXHIBITS IN SUPPORT OF THEIR MOTION *IN LIMINE* TO EXCLUDE
DEFENDANT-SPECIFIC OPINIONS BY DAVID CUTLER**

Pursuant to MDL CMO-2 (Doc No. 441), Defendant Walmart Inc. (“Walmart”) respectfully moves this Court for leave to file under seal its Motion *in Limine* to Exclude Defendant-Specific Opinions by David Cutler, together with its exhibits, which are being filed concurrently herewith.

Specifically, Walmart seeks leave to seal excerpts from David Cutler and Craig McCann’s expert reports, deposition testimony of David Cutler, and the memorandum that quotes from these documents. The information contained in these materials has been marked as Confidential or Highly Confidential by Plaintiffs pursuant to MDL CMO-2. Filing these materials under seal in the first instance will provide the parties with the opportunity to meet and confer to redact the Confidential information prior to filing the material on the docket.

Accordingly, Walmart requests that the Court grant permission for the Defendants to file under seal its Motion *in Limine* to Exclude Defendant-Specific Opinions by David Cutler and exhibits thereto.

October 20, 2021

Respectfully submitted,

/s/ John M. Majoras

John M. Majoras

JONES DAY

51 Louisiana Ave., N.W.

Washington, D.C. 20001-2113

Phone: (202) 879-3939

Fax: (202) 626-1700

Email: jmmajoras@jonesday.com

Tina M. Tabacchi

Tara A. Fumerton

JONES DAY

77 West Wacker

Chicago, IL 60601

Phone: (312) 269-4335

Fax: (312) 782-8585

E-mail: tmtabacchi@jonesday.com

E-mail: tfumerton@jonesday.com

Attorneys for Walmart Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of October, 2021, a notice of the foregoing has been served via CM/ECF to all counsel of record, and copies have been served on the same by e-mail.

/s/ John M. Majoras

John M. Majoras

Attorney for Walmart Inc.